

REMARKS

By this Amendment, claims 1, 8, 9, 13, 16, 19, and 20, the specification, and the drawings have been amended and claim 15 has been canceled to place this application in condition for allowance. Currently, claims 1-14 and 16-20 are before the Examiner consideration on their merits.

This response replies to each issue raised in the Office Action. Applicant's response is set forth below in correspondence to the paragraphs set forth in the outstanding Office Action.

OFFICE ACTION ISSUES

- 1) A new Declaration is being submitted with the proper information regarding the Applicant's residence.
- 2) The specification has been revised to remove reference to reference numeral 13 and the objection in this regard is overcome.
- 3) A corrected Figure 2 is submitted via a Letter to the Draftsperson. In Figure 2 the switch is properly identified by reference numeral 37.
- 4) The specification is revised to correct the reference numeral path 24.
- 5) Reference to MPEP 608.01 is noted. However, it is not believed that a response to this paragraph of the Office Action is mandated, and none is provided. If there remains an issue, the Examiner is requested to telephone the undersigned to resolve any issue without the need for issuing another Office Action and delaying issuance of this application.
- 6) Claim 13 has been revised to correct the error therein regarding "convert".
- 7/8) Reference to "photomultiplier tube" has been removed from claim 16. Therefore, claim 16 is in compliance with 35 U.S.C. § 112, first paragraph since each of the recited components is a light

sensitive device. For completeness purposes, reference to the photomultiplier tube and variations thereof has also been deleted from the specification.

9/10) Claims 1 and 9 have been revised to replace “photodiode” with “light sensitive device”. This change has also been made in claims 8 and 19. The objectionable language in claims 8 and 15 regarding the size of the housing has been deleted. Lastly, claim 20 has been revised to depend on claim 9 rather than claim 1. Since claim 9 is drawn specifically to the detector, reference to the detector in claim 9 does not raise any issues of indefiniteness. With these changes, all claims are fully definite under the purview of 35 U.S.C. § 112, second paragraph, and the rejection should be withdrawn.

11) Claim 20, as described above, is revised to be dependent on claim 9. With this change, claim 20 does not mix statutory classes of invention, and the rejection based on 35 U.S.C. § 101 should be withdrawn.

13/14) Applicant acknowledges the indication of allowable subject matter in claims 1-15 and 17-19.

REMAINING ISSUES

While the Office Action did not indicate that claim 20 also contains allowable subject matter, since it is now dependent on allowable claim 19, claim 20 is also now in condition for allowance.

SUMMARY

This response is believed to fully address each and every issue raised in the Office Action. The drawings and specification are correct and in correspondence. All issues of indefiniteness have been corrected. The issues raised under 35 U.S.C. § 112, first paragraph have been removed by the

cancellation of the "photomultiplier tube" term from claim 16. The issue raised under 35 U.S.C. § 101 has been overcome by the revision to claim 20. The problem with the Declaration has been addressed.

Accordingly, the Examiner is requested to examine this application and pass all claims onto issuance.

If the Examiner believes that an interview with Applicant's attorney would be helpful in expediting allowance of this application, the Examiner is requested to telephone the undersigned at 202-835-1753.

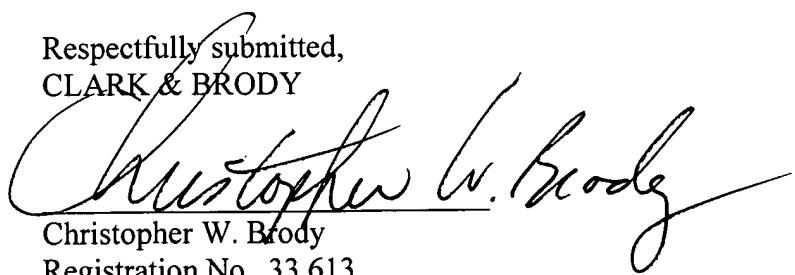
The above constitutes a complete response to all issues raised in the Office Action dated December 5, 2005.

Again, reconsideration and allowance of this application is respectfully requested.

Applicant petitions for a one month extension of time. A check in the amount of \$60.00 is attached herewith for the petition fee. Please charge any fee deficiencies to Deposit Account No. 50-1088.

Respectfully submitted,
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Docket No.: 71056-0016
Date: April 5, 2006

Attachments: 1. Declaration
2. Letter to the Draftsperson